

AMENDMENTS TO THE DRAWINGS

Applicant is submitting herewith two sheets of replacement drawing figures, which include FIGS. 10 and 11, which have been amended to include the legend "--Prior Art--". The submitted replacement figures are intended to replace FIGS. 10 and 11, originally filed on October 1, 2004.

Attachment: Two (2) Replacement Sheets

REMARKS

Claims 1-78 are all of the claims pending in the application. In this Amendment, Applicant has canceled claims 1-69 and 76-78 from further consideration in this application. Applicant is not conceding that the subject matter encompassed by claims 1-69 and 76-78 is not patentable over the art cited by the Examiner. Claims 1-69 and 76-78 are canceled in this Amendment solely to facilitate expeditious prosecution. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by claims 1-69 and 76-78, and additional claims, in one or more continuing applications.

I. Formal Matters

Applicant thanks the Examiner for initialing the form PTO/SB/08 submitted with the Information Disclosure Statement of October 6, 2005, indicating that the documents cited therein have been considered.

The Examiner objected to the drawings, indicating that FIGS. 10 and 11 should be designated by a legend such as "--PRIOR ART--". Applicant hereby submits two sheets of replacement drawing figures, which include FIGS. 10 and 11. Applicant respectfully requests that the Examiner withdraw the objection to the drawings.

The Examiner objected to the title of the invention as not being descriptive. Applicant hereby amends the title of the invention and respectfully requests that the Examiner withdraw the objection to the title.

II. Claim Rejections under 35 U.S.C. § 102(e)

Claims 1-4, 19-22, 38, 46, and 47 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 7,010,318 to Chang et al. (hereinafter “Chang”).¹

Applicant respectfully submits that the 35 U.S.C. § 102(e) rejection is moot with respect to claims 1-4, 19-22, 38, 46, and 47, which are canceled without prejudice for reasons unrelated to the rejection.

III. Claim Rejections under 35 U.S.C. § 103(a)

Applicant respectfully submits that the 35 U.S.C. § 103(a) rejections of claims 5-18, 23-37, 39-45, 48-69, and 76-78 are moot because these claims are canceled without prejudice for reasons unrelated to the rejections.

Claims 70-75 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chang in view of U.S. Patent Application Publication No. 2002/0009061 to Willenegger (hereinafter “Willenegger”).

The Examiner alleges that Chang substantially discloses the claimed invention but fails to explicitly teach controllably changing a target reception quality. Applicant respectfully disagrees with the Examiner’s contention that Chang substantially discloses the claimed invention.

Chang discloses a method for controlling uplink transmission control power in a handover region by UE (*see* abstract, claims).

In marked contrast, the cellular system claimed in claims 70 to 75 includes the feature of controlling transmission power of a downlink dedicated channel which may include a TPC signal

¹ In the Office Action mailed on December 28, 2007, the Examiner indicated that these claims are rejected under 35 U.S.C. § 103(a). However, in the Office Action, the Examiner alleges that the Chang reference discloses each element of the claims. In a telephone conversation, the Examiner confirmed that this is an error and that the claims are rejected under 35 U.S.C. § 102(e).

used for uplink power control. In addition, the mobile station controls a target SIR of a signal received through the downlink dedicated channel and, thereby, can control a reception quality of a transmission power control signal transmitted from a packet transmission base station.

The above-mentioned structure of the present invention is advantageous in that the transmission power control signal transmitted from the packet transmission base station can be accurately received by the mobile station. Such accurate reception of the transmission power control signal makes it possible to improve accuracy of the transmission power control of the uplink dedicated channel also and to control or improve a reception quality of a control signal, such as ACK, NACK signal between the packet transmission base station and the mobile station (*see* page 34, lines 2 to 8 of the specification).

Applicant respectfully submits that Willenegger does not cure the deficiencies of Chang, as discussed above.

At least for these reasons, Applicant respectfully submits that claims 70 to 75 are not obvious over the combination of Chang and Willenegger and respectfully request the Examiner to withdraw the 35 U.S.C. § 103(a) rejection.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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